

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

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August 25, 2006

Robert C. Heinemann, Clerk
130 United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201-1818

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation

(See Attached CTO-62)

Dear Mr. Heinemann:


I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on August 9, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
April Layne
Docket Specialist

Attachment

cc: Transferee Judge: Judge Jack B. Weinstein
Transferor Judges: Judge Edward M. Chen; Judge Maxine M. Chesney; Judge Jeffrey S. White
Transferor Clerk: Richard W. Wieking

A CERTIFIED TRUE COPY

AUG 25 2006

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG - 9 2006

FILED
CLERK'S OFFICE

DOCKET NO. 1596

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

Victoria H. Johnson v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California, C.A. No. 3:06-1319
Theresa J. Livingston v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California, C.A. No. 3:06-1440
Jean M. Nguyen v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California, C.A. No. 3:06-1445

**CONDITIONAL TRANSFER ORDER (CTO-62)
AND SIMULTANEOUS SEPARATION AND REMAND OF CERTAIN CLAIMS**

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 314 F.Supp.2d 1380 (J.P.M.L. 2004). Since that time, 1,147 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein. These common questions of fact are presented in claims in these actions relating to the prescription drug Zyprexa.

It further appears that the remaining claims in these actions, which relate to a prescription drug other than Zyprexa, do not involve questions of fact common to the actions previously transferred to the Eastern District of New York.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of April 14, 2004, and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

It is further ordered that all claims in these actions except Zyprexa claims are separated and simultaneously remanded to the Northern District of California.

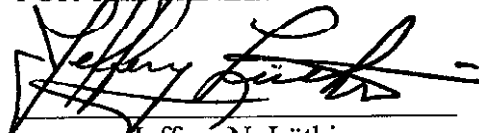
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

AUG 25 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lütli
Clerk of the Panel

INVOLVED COUNSEL LIST (CTO-62)
DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

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